

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,

CASE NO. CV 10-000022 WHA

Plaintiff(s),

v.  
INC21.com CORPORATION, et al.,

STIPULATION AND ~~PROPOSED~~  
ORDER SELECTING ADR PROCESS

Defendant(s).  
\_\_\_\_\_ /

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

Non-binding Arbitration (ADR L.R. 4)  
Early Neutral Evaluation (ENE) (ADR L.R. 5)  
Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

✓ Private ADR (please identify process and provider) Private Mediation provided by  
Hon. Eugene F. Lynch (Ret.) of JAMS.

The parties agree to hold the ADR session by:

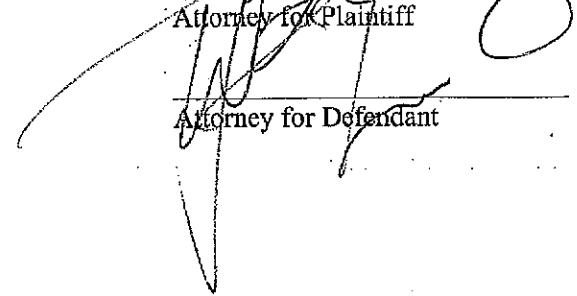
the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

✓ other requested deadline March 9, 2010

Dated: March 4, 2010

Dated: March 4, 2010

  
\_\_\_\_\_  
Attorney for Plaintiff

  
\_\_\_\_\_  
Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket ☐ Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

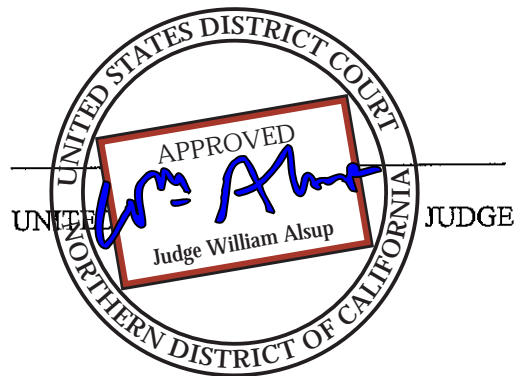
Non-binding Arbitration  
Early Neutral Evaluation (ENE)  
Mediation  
✓ Private ADR

Deadline for ADR session

90 days from the date of this order.  
✓ other March 9, 2010

IT IS SO ORDERED.

Dated: March 5, 2010



**CERTIFICATE OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is 3161 Michelson Drive, Suite 1000, Irvine, California 92612.

On March 4, 2010, I served the **STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

☒ **(BY ELECTRONIC SERVICE VIA CM/ECF SYSTEM)**

In accordance with the electronic filing procedures of this Court, service has been effected on the aforesaid party(s) above, whose counsel of record is a registered participant of CM/ECF, via electronic service through the CM/ECF system.

☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 4, 2010.

/s/ Wayne R. Gross

Wayne R. Gross

**SERVICE LIST**

***Federal Trade Commission v. INC21.com Corporation, et al.***  
**USDC Case No. CV 10-00022 WHA**

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Kerry O'Brien 901 Market Street, Suite 570 San Francisco, CA 94103	<b><u>Counsel for Plaintiff</u></b> <b><u>Federal Trade Commission - Local Counsel</u></b> Tel: 415.848.5189 Fax: 415.848.5184 E-mail: KO'Brien@ftc.gov SERVED VIA CM/ECF
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